

1 **Rule 3-419. Office of Fairness and Accountability**

2
3 **Intent:**

4 To establish the Office of Fairness and Accountability within the Administrative Office of the
5 Courts.

6
7 To identify the objectives of the Office of Fairness and Accountability.

8
9 To identify the duties of the Director of the Office of Fairness and Accountability.

10
11 **Applicability:**

12 This rule shall apply to the judiciary.

13
14 **Statement of the Rule:**

15
16 (1) **Establishment of the Office.** The Office of Fairness and Accountability is established
17 within the Administrative Office of the Courts to organize and lead the judiciary in examining and
18 addressing processes and outcomes within the judicial system that contribute to or cause the
19 unequal treatment of individuals based on factors such as race, gender, ethnicity, age, disability,
20 socioeconomic status, religion, sexual orientation, marital status, veteran status, and any other
21 status protected by law~~race, ethnicity, sexual orientation, or gender.~~

22
23 (2) **Objectives.**

24
25 (2)(A) The Office shall support the judiciary in its efforts to ensure that Utah courts are
26 achieving the judiciary's mission to provide an open, fair, efficient, and independent
27 system to advance access to justice under the law.

28
29 (2)(B) The Office shall work collaboratively with other offices, departments, judges,
30 commissioners, court employees, boards of judges, and Judicial Council standing
31 committees.

32
33 (2)(C) The Office shall advance efforts to eliminate bias from court operations, promote
34 equal access to the court, support efforts to diversify the bar and bench, and inspire a
35 high level of trust and public confidence in the Judiciary.

36
37 (3) **Director Duties.** The Director of the Office of Fairness and Accountability shall:

38
39 (3)(A) Create and operationalize a strategic plan that includes the following areas of
40 focus:

41
42 (3)(A)(i) Identifying and addressing racism and other forms of bias within the
43 judicial system by:
44

45 (3)(A)(i)(a) Engaging in community outreach and serving as a liaison
46 between the courts and other agencies and organizations;

47
48 (3)(A)(i)(b) Networking with community partners such as the Utah
49 Commission on Criminal and Juvenile Justice, the Utah Center for Legal
50 Inclusion, Diversity Offices, universities, and community organizations;
51 and

52
53 (3)(A)(i)(c) Partnering on access to justice initiatives and projects; ~~and~~

54
55 ~~(3)(A)(i)(d) Developing a speakers' bureau to reach K-12 schools~~
56 ~~statewide.~~

57
58 (3)(A)(ii) Conducting data collection and research through:

59
60 (3)(A)(ii)(a) Collaboration with national experts and thought leaders to
61 identify, gather and analyze relevant data; and

62
63 (3)(A)(ii)(b) Coordination with Court Data Services and Information
64 Technology Services to capture and report relevant data.

65
66 (3)(A)(ii)(c) ~~A special area of focus shall be collecting and~~
67 ~~analyzing~~ Collection and analysis of jury information, including juror
68 selection, service, and pools.

69
70 (3)(A)(iii) Coordinating with ~~the Utah the~~ Judicial ~~Education Department~~ Institute
71 to develop education curriculum and training for judicial officers and employees
72 on issues including but not limited to:

73
74 (3)(A)(iii)(a) cultural competency;

75
76 (3)(A)(iii)(b) racial bias, implicit bias, institutional bias, and individual
77 biases; and

78
79 (3)(A)(iii)(c) any other relevant issues.

80
81 (3)(A)(iv) Monitoring Human Resources implementation of best practices for
82 recruitment and retention, and collaborating with Human Resources on:

83
84 (3)(A)(iv)(a) the recruitment and selection of court commissioners and
85 employees; and

86
87 (3)(A)(iv)(b) obtaining and analyzing data.
88

89 (3)(A)(v) Collaborating with organizations such as the Utah State Bar, Utah
90 Center for Legal Inclusion, and schools to encourage individuals from
91 marginalized communities to apply for judicial openings.

92
93 (3)(B) Serve as a resource for persons in historically marginalized communities~~for~~
94 ~~minorities~~ within the court system and work to increase cultural awareness, foster
95 greater appreciation of racial and cultural diversity, and engender mutual respect in
96 persons who deliver court services and represent our justice system

97
98 (3)(C) Make recommendations for improvement in court processes, procedures, and
99 policies as they relate to race, gender, ethnicity, age, disability, socioeconomic status,
100 religion, sexual orientation, marital status, veteran status, and any other status protected
101 by law.

102
103 (3)(D) Oversee the interpreter and language access programs, and the communication
104 and public information programs, and the judicial outreach programs.

105
106 (3)(E) Review and report on the efficient allocation and fair application of available
107 resources to address~~ing~~ issues of disparity in the judiciary

108
109 (3)(F) Implement standards, policies, and rules as directed by the State Court
110 Administrator and Judicial Council.

111
112 (3)(G) Report to the Judicial Council at least annually.

113
114 (4) The Director shall provide support to any committee or task force created by the Judicial
115 Council for the purpose of developing a strategic plan for the Office.

116
117 *Effective May/November 1, 20__*